

Table 1: Supplement to Staff Assessment Visual Resources Table 3 - Proposed Project's Consistency with Local LORS Applicable to Visual Resources

| LORS | | Staff's Consistency Determination Before Mitigation / Conditions | Staff's Basis for Consistency | Applicant's Assessment of Consistency |
|--|---|--|--|--|
| Source | Objective and Policy Descriptions | | | |
| City of San Jose General Plan: Community Development - <u>Urban Design</u> | <u>Policy 24</u> : New development projects should include the preservation of ordinance-sized and other significant trees. Any adverse affect on the health and longevity of such trees should be avoided through appropriate design measures and construction practices. When tree preservation is not feasible, the project should include appropriate tree replacement. | <p>With U.S. DataPort (USDP)</p> <p>YES</p> <p>Without USDP</p> <p>YES</p> | <p>With USDP</p> <p>The proposed project will result in the loss of trees on the site. However, as required by this criterion, the applicant has committed to providing appropriate replacements.</p> <p>Without USDP</p> <p>The proposed project will result in the loss of trees on the site. However, as required by this criterion, the applicant has committed to providing appropriate replacements.</p> | <p>With USDP</p> <p>Consistent</p> <p>Without USDP</p> <p>Consistent</p> |

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| City of San Jose General Plan: Aesthetic, Cultural and Recreational Resources - <u>Scenic Routes</u> | <u>Policy 1</u> : Development within the designated Rural Scenic Corridors and along designated Landscaped Throughways should be designed with the intent of preserving and enhancing attractive natural and man made vistas. | With U.S. DataPort (USDP) YES | With USDP State Route (SR) 237 is a designated Landscaped Throughway. With USDP, the proposed project would be minimally visible from SR-237 as a result of screening provided by the USDP structures. Therefore, the proposed project would not significantly affect vistas and would be consistent with this policy. | With USDP Consistent |
| | | Without USDP NO | Without USDP State Route (SR) 237 is a designated Landscaped Throughway. The proposed project could substantially affect vista views from SR-237 if project-related landscaping blocks sightlines to the more distant ridgelines of the north trending East Bay Hills. The resulting visual impact would be significant, which would be inconsistent with this policy. Effective and timely implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would mitigate the impact to a level that would not be significant. In any case, the project would not preserve or enhance the existing vista views and the residual visual impact would still be adverse. However, following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact. | Without USDP Consistent The project site is not immediately adjacent to SR 237 but will be separated from it by an approximately 400-foot deep segment of the Applicant's property. Nonetheless, as a review of simulated views from KOP 1 indicates, the project facilities will not substantially block sightlines toward the East Bay Hills, which are the most attractive aspect of the vista from this area. The majority of this landform, the upper slopes in particular, will remain unobstructed. The screening plan proposed will immediately provide substantial screening of the project's lower elements. The wall and plantings will create an attractive feature in the far foreground of the view. As the trees grow, they will create tree masses that relate visually to the existing tree rows in the vicinity of the site. The trees will not grow so tall as block views toward the upper slopes of the hills in the background. Because the proposed project and proposed screening plan leave the vista toward the hills substantially unobstructed, the project will not conflict with this policy. |

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| City of San Jose General Plan: Aesthetic, Cultural and Recreational Resources - <u>Scenic Routes</u> (cont'd) | <u>Policy 4</u> : Any development occurring adjacent to Landscaped Throughways should incorporate interesting and attractive design qualities and promote a high standard of architectural excellence. | <p>With USDP</p> <p>YES</p> <p>Without USDP</p> <p>NO</p> | <p>With USDP</p> <p>The proposed project would be substantially screened from view by USDP structures and landscaping. Therefore, the proposed project would be consistent with this policy.</p> <p>Without USDP</p> <p>The proposed project would have a complex industrial appearance that would substantially detract from the quality of views from SR-237, which is a designated Landscaped Throughway. The resulting visual impact would be significant which would be inconsistent with this policy. Effective and timely implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would mitigate the impact to a level that would not be significant. However, the residual impact would still be adverse and the project would not be perceived as having attractive design qualities or promoting a high standard of architectural excellence. Following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact.</p> | <p>With USDP</p> <p>Consistent</p> <p>Without USDP</p> <p>Consistent</p> <p>See discussion above. In addition, with the regular setbacks of the screening wall creating a regular articulation and sense of rhythm, and with the detailing provided by the latticework on top of the wall, the wall, along with the planting mounds and the trees in front of it, will create an attractive feature in the far foreground of the view. In view of the high quality of the design of the screening wall and the landscaping accompanying it, as well as the further measures to use color to enhance the appearance of the project facilities, the project will achieve a relatively high degree of consistency with this policy.</p> |

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| City of San Jose General Plan: Aesthetic, Cultural and Recreational Resources - <u>Scenic Routes</u> (cont'd) | <u>Policy 5</u> : Any development along Landscaped Throughways entering the City should be designed to provide attractive gateways to the City. | <p>With USDP</p> <p>YES</p> <p>Without USDP</p> <p>NO</p> | <p>With USDP</p> <p>The proposed project would be substantially screened from view by USDP structures and landscaping. Therefore, the proposed project would be consistent with this policy.</p> <p>Without USDP</p> <p>The proposed project would have a complex industrial appearance that would substantially detract from the quality of views from SR-237, which is a designated Landscaped Throughway. The resulting visual impact would be significant which would be inconsistent with this policy. Effective and timely implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would mitigate the impact to a level that would not be significant. However, the project would not be perceived as providing an attractive gateway to the City and the residual visual impact would still be adverse. Following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact.</p> | <p>With USDP</p> <p>Consistent</p> <p>Without USDP</p> <p>Consistent</p> <p>See discussion above. The project will have an attractive appearance that will make it an attractive element at the entrance into San Jose from Milpitas.</p> |

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| City of San Jose General Plan: Aesthetic, Cultural and Recreational Resources - <u>Trails and Pathways</u> | <u>Policy 1:</u> The City should control land development along designated Trails and Pathways Corridors in order to provide sufficient trail right-of-way and to ensure that new development adjacent to the corridors does not compromise safe trail access nor detract from the scenic and aesthetic qualities of the corridor. | With USDP YES | With USDP The proposed project would be substantially screened from view from the existing bicycle trail and the proposed Bay Trail by USDP structures and landscaping. Therefore, the proposed project would be consistent with this policy. | With USDP Consistent |
| | | Without USDP NO | Without USDP The proposed project would have a complex industrial appearance that would substantially detract from the quality of views from the existing bicycle trail and proposed Bay Trail. The resulting visual impact would be significant which would be inconsistent with this policy. Effective and timely implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would mitigate the impact to a level that would not be significant. However, the residual visual impact would still be adverse and the proposed project would detract somewhat from the scenic and aesthetic qualities of the corridor. Following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact. | Without USDP Consistent The project site is not immediately "adjacent" to either the existing bicycle trail or any of the proposed alignments for trails that might be developed at some point in the future. The bicycle trail is more than 400 feet from the edge of the project site, and the proposed alignments of potential future trails are from 600 to over 1,200 feet distant from the site. Nonetheless, the screening plan will immediately provide substantial screening of the project's lower elements. As the trees grow, they will create naturalistic appearing tree masses that relate visually to the existing tree rows in the vicinity of the site. Given the use of trees with a variety of foliage types, and which in some cases produce fruit and flowers and attract birds and other wildlife, the trees will be a feature that will provide a degree of visual interest in close to mid-range views. The wall, combined with the berms and plantings, will create an attractive feature in views toward the project site from the existing bicycle trail and any other trails that may, at some indeterminate point in the future, be developed in the vicinity. The project, therefore, is consistent with this policy. |

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| City of San Jose General Plan: Scenic Routes and Trails Diagram - <u>Scenic Routes</u> | Landscaping in Urban Throughways should be used to supplement and enhance the adjacent land. Landscaping along these thoroughfares will provide a foreground framework or a clearing for longer distance views and will also screen unsightly views or uncharacteristic land uses. | <p>With USDP</p> <p>YES</p> <p>Without USDP</p> <p>PARTIALLY</p> | <p>With USDP</p> <p>The proposed project would be substantially screened from view from SR-237 by USDP structures and landscaping. Therefore, the proposed project would be consistent with this policy.</p> <p>Without USDP</p> <p>While the proposed landscaping as conditioned by staff's Condition of Certification VIS-3 would effectively screen the project's unsightly industrial character from SR-237 views, the applicant-proposed landscaping could also substantially affect vista views from SR-237 if sightlines to the more distant ridgelines of the north trending East Bay Hills are blocked. The resulting visual impact would be significant which would be inconsistent with this policy. Timely and effective implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would mitigate the impact to a level that would not be significant. In any case, the project would not provide a foreground framework or a clearing for longer distance views. However, the proposed project's inconsistency with this policy would not constitute a significant visual impact.</p> | <p>With USDP</p> <p>Consistent</p> <p>Without USDP</p> <p>Consistent</p> <p>Simulated views from KOP 1 indicate that the project facilities do not substantially block sightlines toward the East Bay Hills, which are the most attractive aspect of the vista from this area. The majority of this landform, the upper slopes in particular, will remain unobstructed.</p> <p>The screening plan will immediately provide substantial screening of the project's lower elements. The wall and plantings will create an attractive feature in the far foreground of the view. As the trees grow, they will create tree masses that relate visually to the existing tree rows in the vicinity of the site. The trees will not grow so tall as block views toward the upper slopes of the hills in the background. Because the proposed project and the currently proposed screening plan leave the vista toward the hills substantially unobstructed, yet screen the views toward the project's more complex elements, the project is entirely consistent with this policy.</p> |

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| City of San Jose General Plan: Scenic Routes and Trails Diagram - <u>Scenic Routes</u> (cont'd) | Commercial and industrial development adjacent to Urban Throughways should be attractive and have a high quality of architectural design. These developments should be sufficiently spaced to preserve the scenic character of the thoroughfare. | With USDP YES Without USDP NO | <p align="center">With USDP</p> <p>The proposed project would be substantially screened from view from SR-237 by USDP structures and landscaping. Therefore, the proposed project would be consistent with this policy.</p> <p align="center">Without USDP</p> <p>The proposed project would have a complex industrial appearance that would substantially detract from the quality of views from SR-237, which is a designated Landscaped Thoroughway. The resulting visual impact would be significant which would be inconsistent with this policy. Effective and timely implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would mitigate the impact to a level that would not be significant. However, the residual impact would still be adverse and the project would not be perceived as being attractive, having a high quality of architectural design, or preserving existing scenic character. Following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact.</p> | <p align="center">With USDP</p> <p align="center">Consistent</p> <p align="center">Without USDP</p> <p align="center">Consistent</p> <p>In view of the high quality of the design of the screening wall and the landscaping accompanying it, the further measures to use color to enhance the appearance of the project facilities, and the fact that the project will not substantially block the vista from Highway 237 toward the hills to the east, the project will have a high degree of consistency with this policy.</p> |

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| Alviso Master Plan: Land Use Policies | <u>Industrial/Non-Industrial Relationships Objective:</u> Setbacks and buffers should be established to protect environmental resources (e.g., Coyote Creek) and "sensitive uses" (e.g., residential, day care, and school uses) from potential negative impacts of industrial use. | <p>With USDP</p> <p>YES</p> <p>Without USDP</p> <p>NO</p> | <p align="center">With USDP</p> <p>The proposed project would be screened from Coyote Creek by USDP structures and landscaping. Therefore, the proposed project would not cause impacts to the visual resources of Coyote Creek.</p> <p align="center">Without USDP</p> <p>The Master Plan discussion of this objective states that "It is important that the potential environmental impacts of industrial activities be mitigated so as not to harm nearby natural resources."</p> <p>The proposed project would have a complex industrial appearance that would substantially detract from the quality of views from the present and future trails in the vicinity of the Coyote Creek corridor. The resulting visual impact would be significant which would be inconsistent with this policy. Although effective and timely implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would substantially mitigate the impact on views from the Coyote Creek corridor, the residual impact would still be adverse though not significant. Following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact.</p> | <p align="center">With USDP</p> <p align="center">Consistent</p> <p align="center">Without USDP</p> <p align="center">Consistent</p> <p>The project site has a substantial setback from Coyote Creek; at its closest point, the site is over 600 feet from the creek, and most points along the creek are considerably further from the site.</p> <p>The screening wall, combined with the berms and plantings, will create an attractive feature in views toward the project site from any trails that may, at some indeterminate point in the future, be developed on designated trail alignments along Coyote Creek's western edge. As a consequence, with the screening plan currently proposed, the project would not be inconsistent with this policy.</p> |

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| Alviso Master Plan: Land Use Policies (cont'd) | <u>Industrial/Non Industrial Relationships Policy 2:</u> The light industrial areas located north of State Street and adjacent to Coyote Creek should mitigate potential negative environmental impacts to nearby natural resources. | <p align="center">With USDP</p> <p align="center">YES</p> <p align="center">Without USDP</p> <p align="center">NO</p> | <p align="center">With USDP</p> <p>The proposed project would be screened from Coyote Creek by USDP structures and landscaping. Therefore, the proposed project would not cause impacts to the visual resources of Coyote Creek.</p> <p align="center">Without USDP</p> <p>As stated in the discussion of this policy, the intent of this policy is to protect sensitive habitats from neighboring industrial activities.</p> <p>The proposed project would have a complex industrial appearance that would substantially detract from the quality of views from the present and future trails along Coyote Creek. The resulting visual impact would be significant which would be inconsistent with this policy. Although effective and timely implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would substantially mitigate the impact on views from Coyote Creek, the residual impact would still be adverse though not significant. Following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact.</p> | <p align="center">With USDP</p> <p align="center">Consistent</p> <p align="center">Without USDP</p> <p align="center">Consistent</p> <p>The project site has a substantial setback from Coyote Creek; at its closest point, the site is over 600 feet from the creek, and most points along the creek are considerably further from the site.</p> <p>The screening wall, combined with the berms and plantings, will create an attractive feature in views toward the project site from any trails that may, at some indeterminate point in the future, be developed on designated trail alignments along Coyote Creek's western edge. As a consequence, with the screening plan currently proposed, the project would not be inconsistent with this policy.</p> |

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| Alviso Master Plan: Land Use Policies (cont'd) | <u>Gateway Entrances Objective:</u> Development located near Highway 237 along both sides of Gold Street, First Street, and Zanker Road should foster a "gateway" feel through building orientation, signs, trees, landscaping, and other features. | <p>With USDP</p> <p>YES</p> <p>Without USDP</p> <p>NO</p> | <p>With USDP</p> <p>The proposed project would be substantially screened from view by USDP structures and landscaping. Therefore, the proposed project would be consistent with this policy.</p> <p>Without USDP</p> <p>The proposed project would have a complex industrial appearance that would substantially detract from the quality of views from SR-237. The resulting visual impact would be significant which would be inconsistent with this policy. Effective and timely implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would mitigate the impact to a level that would not be significant. However, the residual impact would still be adverse and the project would not be perceived as providing an attractive gateway to the City. Following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact.</p> | <p>With USDP</p> <p>Consistent</p> <p>Without USDP</p> <p>Consistent</p> <p>The screening plan currently proposed will immediately provide substantial screening of the project's lower elements. With the regular setbacks creating a regular articulation and sense of rhythm, and with the detailing provided by the latticework on top of the wall, the wall, along with the planting mounds and the trees in front of it, will create an attractive feature in the far foreground of the view. In view of the high quality of the design of the screening wall and the landscaping accompanying it, as well as the further measures to use color to enhance the appearance of the project facilities, the project will have an attractive appearance in views from Zanker Road and Highway 237. As a consequence the project may not contribute to the achievement of this policy's objectives in a substantial way, but at the same time, it will not detract from them.</p> |

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| Alviso Master Plan: Land Use Policies (cont'd) | <u>Environmental Protection Objective:</u> New development should contribute to the protection and preservation of Alviso's natural amenities [which includes Coyote Creek]. | <p>With USDP</p> <p>YES</p> <p>Without USDP</p> <p>NO</p> | <p>With USDP</p> <p>The proposed project would be screened from Coyote Creek by USDP structures and landscaping. Therefore, the proposed project would not cause impacts to the visual resources of Coyote Creek.</p> <p>Without USDP</p> <p>The intent of this objective is to protect natural features from environmental degradation such that they can continue to be enjoyed by existing and future residents.</p> <p>The proposed project would have a complex industrial appearance that could substantially detract from the quality of views from the present and future trails along Coyote Creek. The resulting visual impact would be significant which would be inconsistent with this policy. Although effective and timely implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would substantially mitigate the impact on views from Coyote Creek, the residual impact would still be adverse though not significant. Following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact.</p> | <p>With USDP</p> <p>Consistent</p> <p>Without USDP</p> <p>Consistent</p> <p>The project site has a substantial setback from Coyote Creek, as noted above. In addition, the proposed screening wall will create an attractive feature in views toward the project site from any trails that may, at some indeterminate point in the future, be developed on designated trail alignments along Coyote Creek's western edge. As a consequence, with the screening plan currently proposed, the project would not be inconsistent with this policy.</p> |

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| Alviso Master Plan: Design Guidelines - Lands Outside of the Village Area | <u>Design</u> Objective: Given the high visibility of most of this area, development should be attractive; should fit in the context of the larger community; and should reflect some of the elements and materials of seaside styles to contribute to Alviso's sense of place. | <p>With USDP</p> <p>YES</p> <p>Without USDP</p> <p>NO</p> | <p>With USDP</p> <p>The proposed project would be substantially screened from view by USDP structures and landscaping. Therefore, the proposed project would be consistent with this policy.</p> <p>Without USDP</p> <p>The proposed project would have a complex industrial appearance that would not reflect the elements and materials of Alviso's seaside styles and would detract from the quality of views. The resulting visual impact would be significant which would be inconsistent with this policy. Although effective and timely implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would substantially mitigate the impact on local views, the project would still not be perceived as reflecting Alviso's seaside styles. However, following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact.</p> | <p>With USDP</p> <p>Consistent</p> <p>Without USDP</p> <p>Not Applicable</p> <p>The City of San Jose has interpreted the requirement for the use of "seaside" elements and materials on lands outside of the Alviso Village area to be applicable primarily to commercial buildings, not to industrial facilities such as the LECEF. This interpretation is consistent with the City's PD Zoning approval for the project, which did not require any form of seaside-themed architectural treatment for the LECEF. Therefore, this policy may be applicable to the US DataPort buildings, but not the LECEF.</p> |

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| Alviso Master Plan: Design Guidelines - Lands Outside of the Village Area <u>Industrial Development</u> | <u>Development Standards – Height:</u> Maximum 45 feet and two stories above flood elevation, except that for properties located between the Water Pollution Control Plant lands and the Guadalupe River, and on the former Cargill landfill site, buildings as tall as 90 feet may be allowed if all of the following conditions are met: 1. The building is set back at least 500 feet from Wilson Way, Tony P. Santos Street, and Grand Boulevard. 2. The building is well-designed and contributes positively to the Alviso area; and 3. Such building heights facilitate the transfer of development intensity away from the baylands and environmentally sensitive areas in the vicinity of the Alviso village to locations closer to Highway 237 in | With USDP NO Without USDP NO | With USDP Although the proposed project would be substantially screened from view by USDP structures and landscaping, the project would still exceed the 45-foot height limitation and would not contribute positively to the visual quality of the Alviso area. Therefore, the proposed project would not be consistent with this policy. Without USDP The proposed project's combustion turbine stacks would exceed the 45-foot height limitation and the structure would not contribute positively to the visual quality of the Alviso area as required in condition #2. Timely and effective implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would mitigate the adverse impact on visual quality but would not create a circumstance where the project would make a positive contribution to the Alviso area. However, following mitigation, the proposed project's inconsistency with this policy would not constitute a significant visual impact. | With and Without USDP Not Applicable A General Plan Amendment for the combined US DataPort/LECEF property, and approved by the City of San Jose in November 2001, modified the Alviso Master Plan to allow maximum building heights of 100 feet. As a consequence, because all project facilities, including the stacks, are less than 100 feet in height, there are no conflicts with the current height standards applicable to the site. |

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| Alviso Master Plan: Design Guidelines - Lands Outside of the Village Area <u>Industrial Development</u> (cont'd) | <u>Development Standards – Allowable Building Materials:</u> <ul style="list-style-type: none"> Formed concrete with scoring or an embossed wood grain appearance Concrete blocks or bricks Stucco, in simple application All types of wood siding Composition shingle, concrete "shingle," and metal roof materials Glass as an accent material and for windows | With USDP NO | With USDP The proposed project would have only two buildings, which would be located within the power plant complex. Most structures are actually "equipment." Project buildings and equipment would generally be surfaced with metal siding, which would not be consistent with this policy. However, the proposed facilities would be substantially screened from view by the U.S. DataPort buildings and landscaping and effective implementation of staff's Condition of Certification VIS-2 would mitigate the visual impact to a level that would not be significant. | With USDP Consistent Even though the building unit components of the facilities (not the equipment units) would not use building materials recommended by the Alviso Master Plan, these structures would not be visible from areas accessible to the public. Without USDP Consistent See above discussion. The buildings will not be visible from areas accessible to the public, and the proposed screening plan will provide further shielding of the facilities from view. Thus, the project is consistent with this policy. |
| | | Without USDP NO | Without USDP The proposed project would have only two buildings, which would be located within the power plant complex. Most structures are actually "equipment." Project buildings and equipment would generally be surfaced with metal siding, which would not be consistent with this policy. However, timely and effective implementation of staff's proposed Condition of Certification VIS-2 and the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would mitigate the visual impact to a level that would not be significant. | |

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| Alviso Master Plan: Design Guidelines - Lands Outside of the Village Area <u>Industrial Development</u> (cont'd) | <u>Development Standards – Parking:</u> The majority of the surface parking area for any industrial development should be located at the side and/or rear of the building. Parking areas adjoining the street should be screened by the placement of trees, a low hedge or a wall within the front setback area. | With USDP YES Without USDP NO | <p align="center">With USDP</p> <p>Parking for the proposed project would be located at the rear (north) of the project site between the cooling tower and the service administration building. Also, a majority of the site would be screened from view by the U.S. DataPort structures and landscaping. Furthermore, as required in staff's proposed Condition of Certification VIS-3, the proposed project site would have vegetative screening around all four sides.</p> <p align="center">Without USDP</p> <p>Parking for the proposed project would be located at the rear (north) of the project site between the cooling tower and the service administration building. Also, as required in staff's proposed Condition of Certification VIS-3, the proposed project site would have vegetative screening around all four sides.</p> | <p align="center">With USDP</p> <p align="center">Consistent</p> <p>The parking area will be screened from view by the proposed screening wall and landscaping. Thus, the project is consistent with this policy.</p> <p align="center">Without USDP</p> <p align="center">Consistent</p> <p>With the project screening currently proposed, the parking area would not be visible from outside the site. Thus, the project is consistent with this policy.</p> |

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| LORS | | Staff's Consistency Determination Before Mitigation / Conditions | Staff's Basis for Consistency | Applicant's Assessment of Consistency |
|---|---|--|---|---|
| Source | Objective and Policy Descriptions | | | |
| Alviso Master Plan: Landscaping Policies | <u>Landscaping Policy 1:</u> Landscaping should make a strong connection between the natural and built environment and preserve Alviso's existing character. | With USDP PARTIALLY | With USDP The project's proposed tree plantings would impart an appearance that would be similar to that of the nearby riparian trees along Coyote Creek (see VISUAL RESOURCES Figure 12). This similar vegetative character would be consistent with Policy 1. However, the tree plantings would not be consistent with the open, low growing vegetation that generally characterizes Alviso's vegetative appearance. | With USDP Consistent With the project screening currently proposed, the tree planting would relate visually to the existing corridor of riparian vegetation along Coyote Creek. Thus, the project would be consistent with this policy. |
| | | Without USDP PARTIALLY | Without USDP The project's proposed tree plantings would impart an appearance that would be similar to that of the nearby riparian trees along Coyote Creek (see VISUAL RESOURCES Figure 12). This similar vegetative character would be consistent with Policy 1. However, the tree plantings would not be consistent with the open, low growing vegetation that generally characterizes Alviso's vegetative appearance. | Without USDP Partially Consistent With the project screening currently proposed, the tree planting would relate visually to the existing corridor of riparian vegetation along Coyote Creek, but the project would decrease the visibility of this vegetation to some extent. Therefore, the project is partially consistent with this policy. |

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| LORS | | Staff's Consistency Determination Before Mitigation / Conditions | Staff's Basis for Consistency | Applicant's Assessment of Consistency |
|--|---|--|---|---|
| Source | Objective and Policy Descriptions | | | |
| Alviso Master Plan: Landscaping Policies (cont'd) | <u>Landscaping Policy 2:</u> Landscaping should be simple and minimal to reflect Alviso's open character. a)...Trees should be used sparingly to maintain the open views of Alviso. | <p>With USDP</p> <p>YES</p> <p>Without USDP</p> <p>NO</p> | <p>With USDP</p> <p>The proposed project would be substantially screened from view from SR-237 by USDP structures and landscaping. Therefore, the proposed project would not be inconsistent with this policy.</p> <p>Without USDP</p> <p>The proposed project would have a complex industrial appearance that could substantially detract from the quality of views in the vicinity of Alviso. To mitigate the industrial visual character of the proposed project, the applicant has proposed to screen the structures with trees. The proposed landscaping has the potential to block vista views from SR-237 to the more distant ridgelines of the north trending East Bay Hills. Timely and effective implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would mitigate the visual impact to a level that would not be significant. However, the proposed project and its landscaping would partially reduce the existing open view, which would not be consistent with this policy.</p> | <p>With USDP</p> <p>Consistent</p> <p>Without USDP</p> <p>Consistent</p> <p>Based on close reading of the text accompanying this policy in the Alviso Master Plan, it is clear that the project, particularly in light of its current screening plan, will not conflict with this policy. Although the policy states "trees should be used sparingly," the accompanying text qualifies this by stating that this is true in areas located far from buildings. In the case of this project, the fact that the trees will be surrounding the perimeter of the project site appears to be in keeping with the overall thrust of the policy. Given the naturalistic nature of the planting design and the heavy reliance on native species, the project will be consistent with this policy's call for simplicity in landscaping, and the accompanying text's recommendation that native plants be incorporated into landscape designs.</p> |

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|--|---|---|--|---|
| Source | Objective and Policy Descriptions | | | |
| Alviso Master Plan: Landscaping Policies (cont'd) | <u>Landscaping Policy 3:</u> Landscaping should be used to screen unattractive uses and soften the effect of taller buildings due to the flood protection requirements. | <p>With USDP</p> <p>YES</p> <p>Without USDP</p> <p>YES</p> | <p>With USDP</p> <p>The proposed project would be substantially screened from view from SR-237 by USDP structures and landscaping. Therefore, the proposed project would not be inconsistent with this policy.</p> <p>Without USDP</p> <p>The proposed project would have a complex industrial appearance that could substantially detract from the quality of views in the vicinity of Alviso. To mitigate the industrial visual character of the proposed project, the applicant has proposed to screen the structures with trees. Timely and effective implementation of the applicant's proposed landscape plan as modified by staff's Condition of Certification VIS-3 would ensure that that the project would be consistent with this policy.</p> | <p>With USDP</p> <p>Consistent</p> <p>The project would be substantially screened from view from SR-237 by USDP structures and landscaping. Therefore, the project would be consistent with this policy.</p> <p>Without USDP</p> <p>Consistent</p> <p>The proposed screening plan will substantially screen views of the project from nearby viewing areas. Therefore, the project would be consistent with this policy.</p> |

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| LORS | | Staff's Consistency Determination Before Mitigation / Conditions | Staff's Basis for Consistency | Applicant's Assessment of Consistency |
|--|--|--|--|---|
| Source | Objective and Policy Descriptions | | | |
| Alviso Master Plan: Landscaping Policies (cont'd) | <u>Landscaping Policy 4:</u> Landscaping should not block views of the rivers, natural riparian areas, or marshlands. | <p>With USDP</p> <p>YES</p> <p>Without USDP</p> <p>NO</p> | <p>With USDP</p> <p>The proposed project would be substantially screened from view from SR-237 and Zanker Road by USDP structures and landscaping. Therefore, the proposed project would not be inconsistent with this policy.</p> <p>Without USDP</p> <p>The proposed project structures and landscaping would block views of the Coyote Creek riparian corridor from Zanker Road and eastbound SR-237.</p> | <p>With USDP</p> <p>Consistent</p> <p>The project would be substantially screened from view from SR-237 and Zanker Road by USDP structures and landscaping. Therefore, the project would be consistent with this policy.</p> <p>Without USDP</p> <p>Consistent</p> <p>With the project screening currently proposed, the tree planting would relate visually to the existing corridor of riparian vegetation along Coyote Creek, but the project would decrease the visibility of this vegetation to some extent in some views from Highway 237 and Zanker Road. However, it is important to note that the project will not block all views of this feature. The riparian corridor along the creek in the area north of Highway 237 will remain visible from the areas along the highway to the east of the project site, as well as from the Veritas office complex in Milpitas on the east side of the creek. In addition, views toward the riparian corridor from Zanker Road will continue to be visible in the area to the north of the site. Therefore, the project is in substantial compliance with this policy.</p> |

